IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

WP(C).No. 9991 of 2007(M)

PETITIONER:

C.T. FRANCIS,
S/O.THOMMEN, AGED 64 YEARS,
CHAMMANIKODATH HOUSE,
THEVARA P.O., COCHIN -15.

BY ADV. SRI.V.PHILIP MATHEW
SRI.BINU PAUL(NETTOOR)

RESPONDENTS:

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1. CORPORATION OF COCHIN,
REPRESENTED BY ITS SECRETARY,

2. CARMEL GOMEZ,
ERATHATTU VEEDU,
MALIAKAL ROAD, THEVARA.

3. ANNENKUTTY GEORGE,
CHAMMENYYODATHU,
MALIAKAL ROAD, THEVARA.

R1 BY ADV. SRI. S. RAMESH BABU, SC, COCHIN CORPN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 9991 OF 2007

Dated this the 23rd day of March, 2007

JUDGMENT

I do not propose to go into the merits of the matter.

2. The grievance of the petitioner is that respondents 2 and 3 have constructed an iron fencing on the boundary of their property in such a manner as to disable the Corporation from removing the slabs for the the purpose of cleaning the drain. Sri.S.Ramesh Babu, Standing Counsel takes notice on behalf of the Corporation.

Having regard to the submissions made at the Bar, the Writ Petition will stand disposed of issuing the following directions:

The Corporation will immediately take up Ext.P2, hear the petitioner and also respondents 2 and 3 and take a decision on Ext.P2. Decision as directed above will be taken at the earliest and at any rate within three weeks of receiving a copy of this judgment.

PIUS C. KURIAKOSE, JUDGE

btt